

### **EXECUTIVE SESSION**

**On Wednesday, March 29, 2017, at 4:08 p.m., Commissioner Williams made a motion to convene into an Executive Session to discuss personnel issues relating to employee appointment, employment, dismissal or demotion followed by a Work Session. Commissioner Shaw seconded the motion. The motion was unanimously approved.**

### **ROLL CALL**

Roll call was taken and Mayor Whaley, Commissioners Williams and Shaw were present. Commissioner Mims later joined the Executive Session.

### **RECONVENE**

**Commissioner Williams made a motion to adjourn from Executive Session and continue with the meeting. Commissioner Mims seconded the motion. The motion was unanimously approved.**

### **ROLL CALL**

Roll call was taken and Mayor Whaley, Commissioners Williams, Mims, and Shaw were present.

### **CITY COMMISSION MEETING**

On Wednesday, March 29, 2017, 6:02 p.m., the Dayton City Commission met in regular session in the Commission Chambers of City Hall.

### **CALL TO ORDER**

Mayor Whaley called the meeting to order. A moment of silence was held in memory of Dr. Talbert Grooms Sr. and Ms. Lela Estes who passed away in the past week. Both were celebrated for their dedicated involvement in the community.

### **INVOCATION**

Commissioner Mims gave the invocation.

### **PLEDGE OF ALLEGIANCE**

Mayor Whaley led the public in the Pledge of Allegiance.

### **ROLL CALL**

Roll call was taken and Mayor Whaley, Commissioners Williams, Mims, and Shaw were present. The Clerk of Commission, Ms. Rashella Lavender, and the City Manager, Ms. Shelley Dickstein, were also present.

**Commissioner Williams made a motion to authorize the absence of Commissioner Joseph from this week's meeting. Commissioner Mims seconded the motion. The motion was unanimously approved.**

### **APPROVAL OF MINUTES**

**Commissioner Mims made the motion to approve the minutes from the March 22<sup>nd</sup> meeting. Commissioner Williams seconded the motion. The previous meeting minutes were unanimously approved.**

### **COMMUNICATIONS AND PETITIONS**

#### **Communication #21208**

Work Session Finance Briefing Handout

#### **Communication #21209**

Handout from Karen Levin regarding the 15<sup>th</sup> Annual Celebrating Life and Health Fair

### **SPECIAL AWARDS/PRESENTATIONS**

#### **Celebrating Life and Health Fair**

Mayor Whaley invited Ms. Karen Levin, Executive Director of the Levin Foundation, to the podium to speak about the Celebrating Life and Health Fair. Ms. Levin highlighted this year's 15<sup>th</sup> annual Health Fair and the history behind the project. She explained that many different health service providers participate in the fair to help do screenings and check-ups for the local community. She stated around 4,000 to 5,000 people attend each year.

Mayor Whaley thanked Ms. Levin for her contributions to the community.

**Mothers Against Drunk Driving (MADD)**

Mayor Whaley invited Mr. Mike Etter, Dayton Airport Police Chief and Mr. Richard Biehl, Dayton Police Chief, to share the podium with MADD to present awards of excellence. This award recognizes and honors officers who distinguish themselves with dedication and commitment to stop impaired driving. Officer Randy Betsinger from Dayton Police Department and Officer Matt Lykins from the Dayton Airport Police Department received awards of excellence.

These awards of excellence were presented by MADD. The Commission thanked the officers for their service to the city.

**ADDITIONS OR DELETIONS TO THE CALENDAR**

The Clerk of Commission, Ms. Rashella Lavender, requested the addition of Calendar Item 4A regarding a lease agreement for the redevelopment of the Dayton Arcade. Ms. Lavender also requested the addition of Calendar Item 4B, a service agreement regarding the redevelopment of the Dayton Arcade.

The City Manager, Ms. Shelley Dickstein, had no additions or deletions to the calendar.

**REPORTS:**

- A. Purchase Orders, Price Agreements and Contracts:**  
(All contracts are valid until delivery is complete or through December 31<sup>st</sup> of the current year).
1. **Purchase Orders:**
- PUBLIC WORKS**
- A1. Southeastern Equipment Company** (rental of an articulated wheel loader as needed through 12-31-17) **\$6,400.00**
- 1.
- WATER**
- B1. Synagro Central LLC** (temporary sludge dewatering services) **50,000.00**
- B2. Wesco Distribution, Inc.** (one variable frequency drive) **17,850.00**
- Depts. of Public Works, and Water. **Total: \$74,250.00**
2. **Opinion Works, LLC – Contract Modification** – first amendment for public opinion surveys – Office of Mgmt. & Budget. **\$135,000.00**  
(Thru 12/2019)
3. **RME, LTD. – Contract Modification** – third amendment for professional marketing and consulting services – Dept. of Economic Development. **\$24,000.00**  
(Thru 12/31/17)
4. **The Ascent Group, Inc. – Service Agreement** – for a Customer Service Experience Assessment – Dept. of Water. **\$40,500.00**  
(Thru 9/2017)
- THESE ITEMS WERE ADDED**
- 4A. **Dayton Arcade P1MT, LLC – Lease Agreement** – for lease for fifty years for property located at 25 South Main Street – Dept. of Economic Development. **\$500.00**  
(Thru 3/31/67)
- 4B. **Dayton Arcade Partners, LLC – Service Agreement** – to support the redevelopment of the historic Dayton Arcade and associated properties – Dept. of Economic Development. **\$1,000,000.00**  
(Thru 12/31/18)

**CITIZENS’ COMMENTS ON CALENDAR ITEMS**

There were no citizens registered to speak on calendar items.

## **DISCUSSION OF CALENDAR ITEMS**

### **Calendar Item No. 2, – Contract Modification – Opinion Works, LLC.**

Ms. Dickstein highlighted Calendar Item Number 2. She described the contract modification with Opinion Works, LLC. She further explained the change in frequency in now administering public surveys on an annual basis.

## **THESE ITEMS WERE ADDED**

### **Calendar Item No. 4A – Lease Agreement – Dayton Arcade P1MT, LLC.**

Ms. Dickstein clarified Calendar Item Number 4A. She described the lease agreement with the Dayton Arcade P1MT, LLC. She further explained the size, scope, and expectations of the fifty year lease.

### **Calendar Item No. 4B – Service Agreement – Dayton Arcade Partners, LLC.**

Ms. Dickstein clarified Calendar Item Number 4B. She described the service agreement with the Dayton Arcade Partners, LLC. She further explained the size, scope, and expectations of the redevelopment project.

## **APPROVAL OF CITY MANAGER’S RECOMMENDATIONS**

Commissioner Shaw made a motion to approve the City Manager’s Reports. Commissioner Mims seconded the motion. The City Manager’s Reports were approved with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims, and Shaw.

## **LEGISLATION**

### **EMERGENCY ORDINANCE – FIRST AND SECOND READING**

**Emergency Ordinance No. 31556-17-** Authorizing the Acceptance of a Ground Leasehold Interest in Connection with the Greater Dayton Recreation Center in the City of Dayton and Certain Obligations Incurred in Connections Therewith; and Declaring an Emergency.

Commissioner Williams moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Mims seconded the motion. The motion passed with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims, and Shaw. The question being shall Emergency Ordinance No. 31556-17 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims, and Shaw. The Emergency Ordinance was passed.

### **RESOLUTION – FIRST READING**

**Resolution No. 6241-17** Establishing an Urban Agriculture Grant Program for Urban Gardeners to Support Storm Water Best Management Practices.

### **RESOLUTION – SECOND READING**

**Resolution No. 6240-17** Approving and Supporting the Designation of U.S. Bicycle Route 25 through the City of Dayton, Ohio.

The question being shall Resolution No. 6240-17 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims, and Shaw. The Resolution was adopted.

### **INFORMAL RESOLUTION**

**Informal Resolution No. 934-17** Supporting 132-HB64 Facilitating the Expungement of Arrest and Other Records of a Person Based on Mistaken Identity.

Commissioner Mims made a motion to adopt Informal Resolution 934-17. Commissioner Williams seconded the motion. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims, and Shaw. The Informal Resolution was adopted.

## **CITIZENS’ COMMENTS**

Citizen comments were received from the following:

1. **Mr. Willie Feaster, Dayton, Ohio 45405** – made comments about crime and drugs
2. **Ms. Diane Page, 600 Kammer Avenue** – made comments regarding the Regional Transit Authority (RTA)

3. **Ms. Kortney Jeter, 600 Kammer Avenue** – made comments regarding the Regional Transit Authority (RTA)

#### **COMMENTS BY THE CITY MANAGER**

The City Manager, Ms. Shelley Dickstein, highlighted ongoing discussions centered around the RTA's infrastructure project. She stated the City of Dayton has held discussions to find alternatives for their current project in the Westwood neighborhood. Ms. Dickstein stated there would be continued meetings regarding this issue.

Mayor Whaley requested clarification regarding whether ongoing meeting would be occurring between the City of Dayton, the RTA, and members of the Westwood neighborhood.

Ms. Dickstein said the meetings between the different parties will continue.

Commissioner Williams requested clarification on whether the project would continue while conversations were still occurring between the three parties.

Ms. Dickstein said the RTA will continue the project, focusing on less disruptive portions of the project.

Commissioner Mims requested clarification on whether a project of this nature has occurred in the past.

Ms. Dickstein said a project of this nature has occurred in the past.

#### **COMMENTS BY THE CLERK OF COMMISSION**

The Clerk of Commission, Ms. Rashella Lavender, had no closing comments.

#### **COMMENTS BY CITY COMMISSION**

##### **Mayor Whaley**

Mayor Whaley highlighted Bethel Church will celebrate its 125<sup>th</sup> anniversary. She also highlighted the Cincinnati Reds Futures game over the weekend.

##### **Commissioner Williams**

Commissioner Williams commented on the abuse of opiates in the community and asked Ms. Dickstein for an update on the current situation as of March 2017. Ms. Dickstein stressed the initiatives were proactive and not reactive. She stressed that addressing the opiate crisis would take a collective effort from within the community. Ms. Dickstein asked Dayton Police Chief, Mr. Richard Biehl to come to the podium to comment on the collective impact strategy working in conjunction with Montgomery County and other local stakeholders.

Dayton Police Chief, Mr. Richard Biehl, emphasized the law enforcement strategy and focus on saving lives and interdicting and disrupting illegal drugs sales in Dayton. Chief Biehl stated the police have moved past the traditional role of policing and are now working closer with community service providers. He also highlighted East End Community Services' role in connecting citizens with services related to the opiate epidemic.

Mayor Whaley also highlighted that Montgomery County increased their human services funds by \$4.5 million to approach the local opiate problem. The Mayor stated that this epidemic is happening across the state. She also highlighted and thanks Dayton's emergency responders in their efforts at approaching this tremendous challenge.

##### **Commissioner Mims**

Commissioner Mims congratulated Bishop Darren Moore and Deacon Richard Wright at St. Paul AME Church. Commissioner Mims also paid respect to Mr. Talbert Grooms, Senior.

##### **Commissioner Shaw**

Commissioner Shaw highlighted his recent opportunity to speak with the Dayton Arcade's developer. He said he was impressed by the developer's nuanced understanding of Downtown Dayton's history. Commissioner Shaw said he was pleased to see the developer was excited to connect different neighborhoods of Dayton to the Arcade project.

## **ADJOURNMENT**

There being no further business, the meeting was adjourned at 6:47 p.m.

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**Mayor Nan Whaley**

**Attest:** \_\_\_\_\_  
**Clerk of Commission**

## **WORK SESSION**

A copy of prepared material has been recorded as Communication & Petition Number 21208 dated March 29, 2017.

The Dayton City Commission met in a Work Session on Wednesday, March 29<sup>th</sup> at 4:54 p.m., prior to the regularly scheduled City Commission meeting. The meeting was held in the City Manager's Large Conference Room, located in City Hall. Mayor Whaley, Commissioners Williams, Mims and Shaw were present. Mr. Kery Gray, Director, City Commission Office, and Ms. Rashella Lavender, Clerk of the Commission, were also in attendance.

Ms. Shelley Dickstein, City Manager, Ms. Tammi Clements, Deputy City Manager, Mr. Joe Parlette, Deputy City Manager, Ms. Barbara LaBrier, Director of Management and Budget, Mr. Mike Powell, Director of Water, and Mr. Gil Turner, Deputy Director of Aviation, were the presenters.

An overview was provided regarding the Finance Committee's Briefing by highlighting:

- 2016 Year-End Results, General Fund Revenues/Expenditures
- Year-End Results – Department of Water
- Year-End Results – Department of Aviation

### **2016 Year-End Results**

Ms. LaBrier reported that in 2016, total General Fund sources fell 0.2 percent compared to 2015. Total General Fund uses declined 1.7 percent when compared to the previous year and were five percent under the final budget due to a savings in the transfer category. She said the final revised budget included additional budget margin to ensure that no department would exceed its final budget. The appropriation included the ability to do additional transfers to capital in the event of unplanned revenues. The year ended with a positive balance, but there was a decline in overall revenues.

She reported that income tax grew 1.2 percent which was on target for the revised forecast. She said withholding collections were up 3.0 percent. The tax on business profits were down for the second year, falling 9.3 percent. The tax on corporate profits dropped \$1.2M while partnerships profits were showing gains. Taxes paid by individuals have gained six percent, and refunds were up 14 percent after falling 27 percent in 2015. Refunds in 2015 were historically low. In 2016, income tax collections registered their highest level since 2008.

Ms. LaBrier reported that property tax and other tax revenue came in at the estimate, reflecting a slight increase of 0.5 percent. She said property values were flat in 2016, growing 0.4 percent when compared to the previous year. The Hotel/Motel Tax receipts totaled \$620,000 in 2016, an increase of two percent over 2015.

The Local Government Fund revenues came in at the revised estimate and declined eight percent from 2015. Unfortunately, local cities were hit with another unanticipated Local Government Fund reduction with two-thirds cut to the municipal direct allocation.

She said fines and forfeits decreased 73 percent mostly due to the elimination of public safety photo enforcement. Revenues from licenses and permits grew three percent reflecting increased construction activity.

She said the budget was balanced in 2016 without using the cash reserve. However, there is a long-term budget challenge, particularly in the area of infrastructure maintenance and replacement. Also, budget actions at the State and Federal level will continue to be significant challenges in managing resources.

#### 2017 General Fund Revenues/Expenditures Results

Ms. LaBrier said revenues increased 2.6 percent over 2016 due to Issue 9 and are slightly under budget. She said without the inclusion of Issue 9 proceeds, remaining revenues are flat. Expenditures have increased 6.4 percent as a result of timing of property tax payments, and at the end of February, revenues exceeded expenditures by \$2.6M.

#### Department of Water

Ms. LaBrier and Mr. Powell reported on the 2016 Year-End Results for the Department of Water.

Water Fund Revenue and Expenditure Review - Water Fund Revenues were up 3.1 percent or \$1.5M compared to 2015. The revenue from City customers were relatively unchanged compared to the forecast. The revenue from other jurisdictions was above forecast by 3.1 percent compared to 2015. Expenditures were down 5.6 percent compared to 2015 due to lower contracts and materials cost. The Water Fund ended the year with a positive balance which will be used toward various deferred capital projects.

Sanitary Sewer Fund Revenue and Expenditure Review – Sanitary Sewer Fund Revenues were up 3.1 percent compared to 2015 due to higher volumes in the City and other jurisdictions. Revenue from City customers were up \$600,000 and charges for services were above forecast by \$500,000 due to higher surcharges for industrial waste and special monitoring fees. Total expenditures were down 2.6 percent compared to 2015 due largely to timing of Construction Capital Transfers and higher Debt Interest cost. The Sewer Fund ended the year with a positive balance.

Mr. Powell said the Pebble Lime sales in 2016 were up 37 percent over 2015.

#### Department of Aviation

Ms. LaBrier and Mr. Turner reported on the Year-End Results for the Department of Aviation.

Total revenue sources were down \$1.8M or 5.3 percent lower than last year. This was a result of a one-time transfer in Passenger Facility Charges in 2015. Airline revenue was 2.6 percent below projection. Landing fees were below projection. The Airline revenue was higher than in 2015 due to no Airline settlement being recorded in the first quarter of 2016 and a rate increase in the landing fee from \$1.71/1,000 lbs. gross landed weight to \$2.53/1,000 lbs. Enplanements were down 3.5 percent compared to 2015. Concession revenue was 4.8 percent below projection, and total non-airline revenue was 7.5 percent below projection. Parking and Ground Lease Revenue were below projection.

Ms. LaBrier said Contracts, Materials and Other Uses were 10.9 percent below budget for the period. The variances were mainly from savings in supplies and materials utilities (electric and gas) and fuel. She said \$213,000 in capital equipment purchases have been made as of the end of the year. This is a result of deferring purchases due to the decreased revenue collections.

Mr. Turner highlighted the Spectrum Brand Facility that was recently built at the airport. He said they will continue to meet with the Airlines to market the Airport to increase capacity. Also, United and PSA have added larger aircraft, and Allegiant will add Myrtle Beach as a travel destination on May 24, 2017. Overall, the Department had a balanced budget at the year end. The Daily Seat Capacity is expected to remain flat for 2017. The Department met with all of the carriers, and Delta, American and United are projecting a one percent growth in 2017.

Mayor Whaley thanked everyone for the updates and noted her appreciation for staff's work.

The Work Session concluded at 5:38 p.m.